Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at http://about.jstor.org/participate-jstor/individuals/early-journal-content.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

after the husband's disappearance she instituted an action for the insurance. The association insisted that by bringing the action for divorce she had expressed her belief that her husband lived, and that after she had ceased payments on his certificate she was estopped to assert that he was dead. In Butler *v.* Supreme Court I. O. F., 101 Pacific Reporter, 481, the Washington Supreme Court decided that the wife was not estopped to assert her husband's death within the two years following his disappearance, as the association could not have been injured by reason of her conduct.

**Infringement of Copyrights by Moving Picture Machine.**—In Harper & Bro. et al. *v.* Kalem Co. et al., 169 Federal Reporter, 61, it appeared that defendant had employed a person to read Ben Hur and to write a description of it which might be utilized by a moving picture machine. The dramatization of this book had previously been copyrighted by the plaintiff. Defendant advertised the films thus taken as capable of producing a moving picture spectacle of Ben Hur, and sent its advertisement to the proprietors of theatoriums. The United States Circuit Court of Appeals holds that when a film is put on an exhibiting machine which reproduces the action of the characters, it becomes a dramatization. Moving pictures are a form of expression infringing not the copyrighted book or drama, but the author's exclusive right to dramatize his writings, and to publicly perform such dramatization.

**Publication of Portraits in Advertising.**—The defendant's newspaper, in Peck *v.* Tribune Company, 29 Supreme Court Reporter, 554, published, in an advertisement of whisky, a portrait of plaintiff in connection with a signed statement purporting to have been made by her that she was a nurse, had used the whisky for herself and patients, and recommended it. In her suit for libel in publishing the portrait, plaintiff alleged that she was not the woman whose name was signed to the recommendation, that she was not a nurse, and was a total abstainer. It was suggested in defense that defendant published the portrait by mistake, and without knowledge that it was plaintiff's portrait, or was not what it purported to be. The court says that defendant took the risk in publishing the portrait, and the usual principles of tort make him liable if the representations are false. It could not be said that the obvious tendency of what was imputed to plaintiff by the advertisement was not to seriously hurt her standing with a considerable and respectable class of the community. The United States Supreme Court, reversing the decision of the lower court, concluded that plaintiff was entitled to have her case submitted to the jury.

**Expenses of President of Corporation.**—A corporation, after the expiration of the term of office of its president, sued him to recover a certain sum which it claimed he had refused and neglected to pay over. Defendant claimed that he deducted his salary as president and general manager, and that he had expended a named sum in placing on the market and selling the capital stock of the corporation in Eastern states, including traveling expenses and expenses incurred in providing entertainment and dinners to prospective purchasers of stock. At a meeting of some of the stockholders, a resolution was adopted to the effect that the president and general manager should receive a reasonable salary for past and future services, and should be reimbursed for any expenditures for the company, the amount of such salary and expenses to be determined and fixed at any regular stockholders' or directors' meeting, to be held at some future time. Nothing was ever done pursuant to this resolution, and the question was never brought before the corporation. Defendant presented no account to the directors and made no effort to obtain a settlement, but retained the money for his own use. The United States Circuit Court of Appeals holds, in Ebner *v.* Alaska Mildred Gold Min. Co., 167 Federal Reporter, 456, that, in the absence of any contract therefor, defendant, as president of the corporation, could not charge it with the sums expended, and that he was not entitled to any salary where he performed only the services required of him as president under the by-laws, in the absence of any agreement that he was to be allowed a salary.

---

**Malicious Eviction of Tenant.**—A verdict for exemplary damages for the malicious eviction of a tenant was sustained by the Kansas Supreme Court in Walterscheid *v.* Crupper, 100 Pacific Reporter, 623. Plaintiff was an old man 74 years of age and his wife was confined to her bed with sickness. Defendants and their agents forcibly entered on the premises and willfully and maliciously removed a portion of the roof and left it in that condition, one of the workmen objecting because it looked like it was going to rain. During the night a heavy rain fell, in consequence of which plaintiff claimed his health was injured by the exposure. After reviewing the evidence, the court says that all the circumstances indicated that defendant acted willfully and wantonly for the purpose of rendering the house uninhabitable, so that plaintiff and his family would be compelled to vacate the premises. In commenting on the defendant's conduct the court adopts the language of the Illinois Supreme Court expressed in a similar case. "The whole conduct of the parties was an outrage upon individual rights and upon the law, and all the circumstances indicate wantonness and malice. In such a case exemplary damages were properly awarded, and no court should weigh the testimony nicely for the purpose of reducing the amount."

---

**Following Mandate of Appellate Court in Entering Erroneous Decree.**—A lessee filed a bill to enjoin the lessor from declaring a for-